

# BROOKS, BERNE & HERNDON PLLC

---

THOMAS H. HERNDON, JR.  
THOMAS.HERNDON@LAWBBH.COM  
TELEPHONE NO.: (914) 364-2691

June 9, 2021

VIA ECF

Hon. John P. Cronan  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1320  
New York, New York 10007

Re: *Martin John Stevens v. Alan J. Hanke, IOLO Global LLC, Guarantee Investment Trust, Sherry Sims, Sidney Mills Rogers III, Amy Roy-Haeger and John Does 1-100* (1:20-cv-08181)(JPC)

Request for Pre-Motion Conference for Leave to Withdraw as Counsel

Dear Judge Cronan,

We represent defendants, Alan J. Hanke (“Hanke”) and IOLO Global LLC (“IOLO”) (Hanke and IOLO are sometimes collectively referred to herein as the “Defendants”), in the above matter.

We write to request a pre-motion conference on behalf of Brooks, Berne & Herndon PLLC (BBH) for leave to be relieved as firm of record in the above action with respect to both Defendants. Subsequent to our retention, the Defendants have failed to meet various obligations, e.g., as provided under the rules, that have rendered it unreasonably difficult for BBH to carry out its employment effectively. (See Rules 1:16(c)(5) and (7)). Because explanation of the foregoing involves disclosure of attorney-client privileged communication with BBH, we feel constrained to refrain from disclosing the underlying particulars of the forgoing. To the extent the Court requires additional information, we will make such information available via in-camera review. Notwithstanding, we believe our application should be granted on this basis alone. Additionally, there are other reasons in which BBH’s continued representation is no longer possible and will serve as another basis for withdrawal. (See Rule 1:16(c)(12)). Thus, for all these foregoing reasons and others to be discussed at the conference, BBH requests leave to be relieved as firm of record in the above matter on behalf of Defendants.

Respectfully Submitted,



Thomas H. Herndon, Jr.